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In re Application of :
Andre Jestin et al :
Serial No.: 10/775,337 : PETITION DECISION
Filed: February 11, 2004 :
Attorney Docket No.: 042049-0110 :

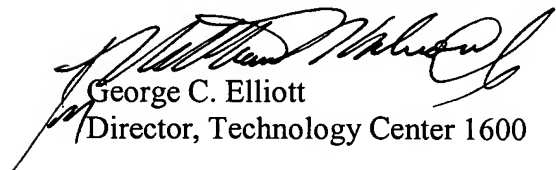
This is in response to the petition under 37 CFR 1.181, filed May 3, 2005, requesting restarting of the period for reply based non-receipt of an Office action.

A review of the file history shows that the examiner mailed an Office action to applicants on January 21, 2005, setting a three month shortened statutory period for reply. The mailing of the Office action was discovered by applicants on April 29, 2005, during a routine check of Public PAIR which indicated the mailing of an Office action on January 21, 2005. Applicants state that the Office action was never received and provide a copy of docket reports to establish non-receipt thereof. In view of the evidence provided applicants' request to restart the period for reply is granted

The petition is **GRANTED**.

The three month shortened statutory period for reply to the Office action mailed January 21, 2005, is restarted as of applicants' date of receipt of the Office action via the internet, April 29, 2005.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number, 571-273-8300.


George C. Elliott
Director, Technology Center 1600